

PATENT
Attorney Docket No.: B0410/7278

3763 *aw*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Richard A. Gambale et al. CONF. NO. 7561
SERIAL NO.: 09/743,726 GROUP NO.: 3763
FILING DATE: April 12, 2001 EXAMINER: Mendez, Manuel A.
TITLE: AGENT DELIVERY SYSTEMS

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 20th day of October, 2005.

Debra M. Doherty
Debra M. Doherty

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is/are the following document(s):

1. Information Disclosure Statement,
2. PTO Form 1449,
3. Eight (8) Cited References,
4. Check for \$180.00, and
5. Return Postcard

If the enclosed papers are considered incomplete, the Mail Room or other persons are respectfully requested to contact the undersigned collect at (617) 261-3100.

A check in the amount of \$180.00 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to Deposit Account No. 50-1721, Reference No. B0410/7278. A duplicate of this letter is enclosed for accounting purposes

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DATE: October 20, 2005



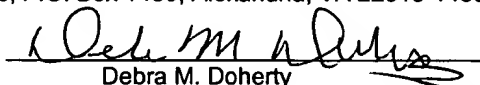
PATENT
ATTORNEY'S DOCKET NO.: B0410/7278

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Richard A. Gambale et al.
Serial No.: 09/743,726
Filed: April 12, 2001
For: AGENT DELIVERY SYSTEMS
Examiner: Manuel A. Mendez
Art Unit: 3763
Confirmation No.: 7561

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Debra M. Doherty

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**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the applicant requests consideration of this information disclosure statement.

Compliance with 37 C.F.R. §1.97

This information disclosure statement has been filed more than three months after the filing date of this application and after the mailing date of the first office action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a notice of allowance under 37 C.F.R. §1.311. The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.

BOS-685523 v1 0506765-0203

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Information Cited

The applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the relative importance of the references.

Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

- The examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
- The enclosed form PTO-1449 be signed by the examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
- The citations for the information be printed on any patent which issues from this application.

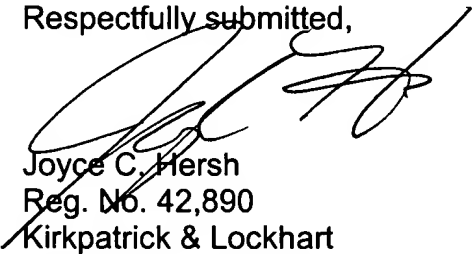
By submitting this information disclosure statement, the applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this information disclosure statement, the applicant makes no representation that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this information disclosure statement, the applicant makes no representation that the information cited in the statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

It is understood by applicant that the foregoing information will be considered and, to the extent deemed appropriate by the examiner, will be reflected in the examiner's communication.

Respectfully submitted,



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Date: October 20, 2005

Form PTO-1449
INFORMATION
DISCLOSURE
STATEMENT



Docket No.: B0410/7278

Serial No. 09/743,726

Applicant: Richard A. Gambale et al.

Filed: April 12, 2001

Group: 3763

U.S. PATENT DOCUMENTS

Ex.		Doc. No.	Date	Name	Class	Subcl.	Filed
	A-1	2,761,446	03/30/1955	Reed			
	A-2	4,223,674	09/23/1980	Fluent et al.			
	A-3	4,762,515	08/09/1988	Grimm			
	A-4	4,820,267	04/11/1989	Harman			
	A-5	5,868,699	02/09/1999	Woodruff et al.			

FOREIGN PATENT DOCUMENTS

Ex.		Doc. No.	Date	Name	Class	Subcl.	
	B-1	WO 95/33511	12/14/1995	Lee			
	B-2	WO 98/23228	06/04/1998	Burkoth et al.			
	B-3	WO 99/21510	05/06/1999	Evans et al.			

OTHER DOCUMENTS (including, Author, Title, Date, Pages, Etc.)

Examiner:

Date considered

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. An * indicates references that do not require a copy to be provided under 37 C.F.R. §1.98(d) because a copy was previously cited or submitted in a prior application, which is relied upon under 35 U.S.C. §120.